

Interview Summary	Application No.	Applicant(s)	
	10/511,752	LONGO, THOMAS W.	
	Examiner	Art Unit	
	Kiran B. Patel	3612	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Kiran B. Patel. (3) _____
 (2) Mr. Hilliard. (4) _____

Date of Interview: 02 February 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: All.

Identification of prior art discussed: Prior art in 892.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Claims were amended as per the attached email.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Attorney Docket: 020826-0312606
Client Reference: 702421US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: THOMAS W LONGO Confirmation Number: 4072

Application No.: 10/511,752

Group Art Unit: 3612

Filed: October 19, 2004

Examiner: Kiran B. PATEL

Title: COLLISION ENERGY-ABSORBING DEVICE

PROPOSED SUPPLEMENTAL RESPONSE

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Response to Election of Species and Restriction Requirement submitted on December 7, 2005, please amend the above-identified application as follows:

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-24. (Cancelled)

25. (Currently Amended) A collision energy-absorbing device ~~according to claim 24, for mounting between a frame assembly of a motor vehicle and a bumper beam at one end of the motor vehicle, said collision energy-absorbing device comprising:~~

a substantially tubular body member configured to be operatively connected between the vehicle frame assembly and the bumper beam, said body member being constructed and arranged to collapse as said bumper beam and said vehicle frame assembly are moved relatively toward one another during a vehicle collision,

said body member having a substantially tubular first telescoping portion and a substantially tubular second telescoping portion, said first and second telescoping portions being connected by a connecting portion, said first and second telescoping portions having different cross-sectional dimensions configured to enable said first and second telescoping portions to move one within the other into collapsing telescoping relation as said body member collapses with said connecting portion being deformed and received between said first and second telescoping portions,

said body member further including one or more protrusions extending from one of said first and second telescoping portions, said protrusions being configured to interfere with relative movement of the other of said first and second telescoping portions as said body member collapses to thereby retard movement of said first and second telescoping portions one within the other into said telescoping relation; and

a lost motion connecting structure carried on the body member for connection to the bumper beam, the lost motion connecting structure configured and positioned to allow the bumper beam to move relatively away from the body member during an offset collision laterally opposite the device,

wherein the lost motion connecting structure includes a hinge plate assembly having a first mounting plate and a second mounting plate pivotally connected by a hinge, one of the

first and second mounting plates being connected to the body member and the other of the first and second mounting plates being connected to the bumper beam,

wherein the hinge plate assembly is movable from a closed position in which the first and second mounting plates are adjacent one another to an open position in which the first and second mounting plates are pivoted relative to one another during the offset collision.

26.-61. (Cancelled)

REMARKS

This Supplemental Amendment is being filed in response to a February 2, 2006 telephone interview with Examiner Patel. During the interview, Examiner Patel indicated that claim 25 may be allowable over the prior art of record. The courtesies extended by the Examiner in conducting the Interview are appreciated.

Accordingly, claim 25 has been rewritten into independent form, while the other pending claims have been cancelled. The November 10, 2005 Restriction Requirement and Election of Species is now deemed moot in view of the cancellation of claims 1-24 and claims 26-61.

Since the only remaining claim is believed allowable, allowance of the subject application is respectfully requested.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

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Date: February 2, 2006
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